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Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-fifth year

Identical letters dated 29 July 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Georgia on the twelfth round of the Geneva Discussions held on 26 and 27 July 2010 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 14, and of the Security Council.

(*Signed*) Alexander **Lomaia**
Ambassador
Permanent Representative

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Annex to the identical letters dated 29 July 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on the twelfth round of the Geneva Discussions

The twelfth round of the Geneva talks was held on 26 and 27 July 2010, where the issues of security and stability in Georgia's occupied Abkhazia and Tskhinvali regions and the safe and dignified return of the IDPs and refugees to the places of their habitual residence were discussed. Meetings of the two working groups were held, in which the participants took part in an individual capacity. Deliberations were moderated by the United Nations, the European Union and the Organization for Security and Cooperation in Europe and attended by the participants from Georgia, the United States and the Russian Federation. The head of the provisional administration of the former South Ossetian Autonomous District Mr. Dimitri Sanakoev and the Chairman of the Government of the Autonomous Republic of Abkhazia Mr. Giorgi Baramia took part in the twelfth round of the Geneva talks. Representatives of the proxy regimes from Tskhinvali and Sokhumi also participated in the working groups.

During the meeting the Georgian side once again urged the Russian side to fully implement the 12 August ceasefire agreement and start the withdrawal of the troops from the occupied Georgian regions. It was stressed that the establishment of a sustainable international security regime in the occupied Georgian regions is necessary and that such regime should be based on robust international peacekeeping and police presence and a full withdrawal of Russian military forces in accordance with the 12 August ceasefire agreement. So far the Russian Federation continues to blatantly violate every provision of the ceasefire agreement and derails the discussions on the enhanced international presence inside the occupied territories, thus depriving the international community of an opportunity to observe the continuous violations of the human rights and deterioration of the security situation.

In Working Group 1, the participants reviewed the security situation on the ground. They reiterated that the full operation of both Incident Prevention and Response Mechanisms (IPRM) is important. Co-chairs expressed hopes that the Tskhinvali IPRM will resume its normal functioning in the nearest future, after almost a year of breakdown due to the boycott from Moscow and Tskhinvali. Participants paid particular attention to the recent communication failure over a Tskhinvali hotline and expressed hope that the technical barriers would not be used as a pretext to create undue obstacles for the functioning of the hotline. The Georgian side brought to the attention of the co-chairs recent security-related incidents — the targeted explosion of the water reservoir in the Akhalgori region and illegal intrusion of the Russian military helicopter into the Zugdidi region. The Georgian side called upon Moscow and its proxy regimes to refrain from the provocative acts, which could further destabilize the already fragile security situation in the vicinity of the occupied territories.

In Working Group 1 participants continued discussing issues related to the non-use of force and international security arrangements. Unfortunately, on this

issue consensus is not yet possible due to the highly unconstructive position of the Russian Federation and its proxy regimes. During this round, co-chairs proposed a further elaborated document on the non-use of force and international security arrangements. Georgian participants welcomed this document and expressed willingness to continue work on the sequential approach proposed by the co-chairs. In contrast, participants from Moscow rejected the document and questioned its legitimacy, once again demonstrating their attitude to the Geneva Discussions and the work undertaken by the participants.

In both working groups the Georgian side expressed concern that the proxy regimes continue to hamper the freedom of movement of the local residents. Concrete attention was paid to the facts of illegally detaining the local residents, who accidentally cross the occupation line. Participants from Tbilisi called upon Moscow and its proxy regime in Tskhinvali to release eight detained persons, who are currently held hostage in Tskhinvali without any legitimate ground. The Georgian side believes that the lives of these detained persons, some of whom require urgent medical assistance, are in danger as a result of inhuman and degrading treatment that they are regularly subjected to. The Georgian side calls upon the international community to undertake a concerted action and to persuade the Russian Federation and its proxy regimes to abandon the practice of taking hostages and release these persons immediately. Meanwhile it is essential that the international humanitarian agencies receive full access to these detained persons, as wall as other persons in need of humanitarian assistance inside the occupied regions of Georgia.

In the second working group participants continued discussing the document on the safe and dignified return of the IDPs and other humanitarian issues, proposed by the co-chairs and discussed at length during the previous rounds. Despite the numerous attempts to reach a consensus on the document, the participants from Moscow and its clients from Sokhumi and Tskhinvali continued to question the right of the IDPs to return, which puts a consensus on this document out of reach at this stage. However, unlike the previous session, the discussions were held in a more business-like atmosphere and the work was not marred by walk-outs or other particularly unconstructive actions.

On 26 July 2010 participants of Working Group 2 took part in the information session dedicated to the property-related rights and the Pinheiro Principles. During this information session relevant international experts shared the international experience with regard to the protection and upholding of the property rights of the forcibly displaced persons. The Georgian side hopes that the continuation of the information sessions and awareness-raising on the best international practices will allow some participants of Working Group 2 to become more flexible and forthcoming regarding the implementation of some humanitarian and human-centric activities, to the benefit of the local war-affected populations.

Participants agreed to hold the thirteenth round of Geneva talks on 14 October 2010.

Tbilisi, 27 July 2010